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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/823,781
Applicant : Arthur E. COLVIN, Jr., et al.
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Examiner : Marcus H. Taningco

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Customer No. : **06449**
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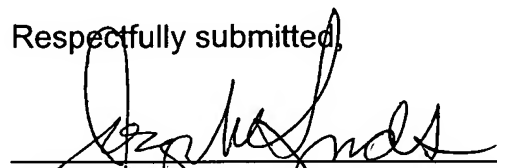
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RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement mailed May 23, 2005, Applicants elect without traverse the claims of Group I, claims 1-80, drawn to an optical-based sensor and method for attenuating and compensating the effect of ambient light. Applicants reserve the right to pursue claims 81-100 in a divisional application.

Early and favorable action on the merits of this application is respectfully requested.

Respectfully submitted,



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